



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Paper No. 3

STEVEN M MILLS
LAPPIN & KUSMER LLP
RWO HUNDRED STATE STREET
BOSTON MA 02109

COPY MAILED

JUL 17 2000

In re Application of
Renwick et al.
Application No. 09/405,237
Filed: September 23, 1999
Attorney Docket No. IBNR-014

SPECIAL PROGRAMS OFFICE
DAC FOR PATENTS
: DECISION GRANTING
: PETITION
:

This is a decision on the petition filed October 15, 1999 under 37 CFR 1.53(b), which is being treated as a petition under 37 CFR 1.10(c) requesting that the above-identified application be accorded a filing date of September 23, 1999 rather than the presently accorded filing date of September 24, 1999.

The petition is **granted**.

As the instant application papers were received at the PTO before the "date-in" on Express Mail Label No. EL024412563US, the papers were given the date of receipt. While petitioner has not proffered any USPS evidence to clearly establish that the date accorded these papers should be September 23, 1999, the attached printout of a query of the USPS Express Mail Information Database shows that the package in question was accepted at 4:45 PM on the date in question. To expedite further processing, it is presumed, absent written evidence to the contrary, that acceptance time is prior to the last scheduled pick-up for that date.

This provisional application is being forwarded to the Office of Initial Patent Examination (OIPE), Customer Corrections, for further processing with a filing date of September 23, 1999.

Telephone inquiries specific to this decision should be directed to the undersigned at (703) 305-1820. Inquiries related to OIPE processing should be directed to OIPE at (703) 308-1202.

Brian Hearn
Brian Hearn
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

Enclosure: Express Mail Database Printout